Local Government Mandate Statement Kentucky Legislative Research Commission 2018 Regular Session

Part I: Measure Information

Bill Request #: 1466
Bill #: HB 372 GA
Document ID #: 7198
Bill Subject/Title: AN ACT relating to protections of religious organizations
Sponsor: Representative Jason Petrie
Unit of Government: x City x County x Urban-County
Office(s) Impacted: all
Requirement: x Mandatory Optional
Effect on Powers & Duties:x _ Modifies Existing Adds New Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 372 GA would create a new section of KRS Chapter 344 to define "religious organization," and would establish 9 factors for determining whether an organization is religious for purposes of the section. HB 372 GA would establish that no religious organization, its employees acting within the scope of their employment, or a member of the clergy may be required to perform a marriage or to provide services, accommodations, facilities, goods, or privileges for a purpose related to performance of a marriage if the action would violate a sincerely held religious belief. Refusal to take such action would not be grounds for a civil or criminal cause of action nor grounds for action by the state or a political subdivision to penalize, withhold benefits or privileges, including tax exemptions, governmental contracts, grants or licenses, from a religious organization or individual. The bill would establish a sincerely held religious belief as a defense to a civil action against a religious organization for refusal to provide services, accommodations, facilities, goods, or privileges under the section.

HB 372 GA implicates no immediate monetary or budgetary matters and it is believed the bill would have a minimal fiscal impact on local governments.

Part III: Differences to Local Government Mandate Statement from Prior Versions

The local mandate statement for, and fiscal impact of, HB 372 GA is the same as for HB 372 HCS 1. The House adopted the substitute and did not adopt any other substitute or amendment of the bill.

HB 372 HCS 1 eliminates the majority of the provisions of the bill as introduced but would still protect religious organizations from government sanction as a result of action based on the organization's sincerely held religious beliefs regarding marriage. The local government mandate statement for HB 372 HCS 1 is the same as for the bill as introduced. HB 372 HCS 1 would have minimal fiscal impact on local governments.

Data Source(s): LRC staff; Department for Local Government

Preparer: Mary Stephens **Reviewer:** KHC **Date:** 3/23/18